

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and following remarks.

Claims 1, 5, 6, 9, 16-18 and 20 are pending. Claims 1, 5, 6, 9 and 18 are independent. By this Amendment, claims 5, 6, 9, 17, 18 and 20 are amended.

The Office Action rejects claims 17 and 20 under 35 U.S.C. §112, second paragraph. Claims 17 and 20 are amended to address the Examiner's concerns.

The Office Action rejects claims 1 and 6 under 35 U.S.C. §102(b) over U.S. Patent No. 2,701,032 to Senn; rejects claim 5 under 35 U.S.C. §103(a) over JP 50-124063 to Niigato in view of JP 4089787 to Nakamura et al.; rejects claims 9, 17 and 18 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2001/0009210 to Kobayashi et al. in view of JP-02282177 to Mizuno; rejects claim 16 under 35 U.S.C. §103(a) over Senn in view of U.S. Patent No. 6,006,865 to Ammon; and rejects claim 20 under 35 U.S.C. §103(a) over Kobayashi in view of Mizuno and further in view of U.S. Patent No. 5,975,249 to Tomaseti. These rejections are respectfully traversed.

Applicant's independent claim 1 is directed to an elevator apparatus comprising, in combination with other claimed features, a first suspending member connection portion and a second suspending member connection portion provided in a third recess and fourth recess respectively.

Applicant respectfully disagrees with the Examiner's assertion that connector means 53 disclosed in Senn provides this feature. As shown in Fig. 5, the connector means 53 is located above the corner portion of the elevator platform 30 and therefore not in the recess. Further, the connector means 53 projects inwardly from

the shoe 24 over the elevator platform portion and beyond the corner portion. Thus, claim 1 is distinguishable over the Senn patent.

Applicant's independent claim 6 is directed to an elevator apparatus comprising, in combination with other claim features, a first car suspending pulley and a second car suspending pulley provided below a car floor. See Fig. 20 of Applicant's specification. As shown in Fig. 1, pulley 40 are not located below the platform 30. Thus, Applicant's independent claim 6 is distinguishable over the Senn reference.

Applicant's independent claim 5 is directed to an elevator apparatus comprising, in combination with other claimed features, a counterweight disposed in a least one of a third recess and a fourth recess and a counterweight guide rail is at least partially disposed in at least one of the third and fourth recess. See Figs. 14 and 15 of Applicant's specification.

As shown in Fig. 3 of Nakamura, the counterweight guide rail 22 is not disposed in a recess. Thus, Applicant's independent claim 5 is distinguishable over Niigato and Nakamura.

Applicant's independent claim 9 is directed to an elevator apparatus comprising, in combination with other claimed features, a first suspending portion disposed on a first side of a first guide rail and a second suspending portion disposed on a second side opposite the first side of the second guide rail. See Applicant's specification at the paragraph beginning at line 16 of page 10 and Fig. 1.

As shown in Fig. 13 of Kobayashi, hitch parts 4ba and 4bb are both located on the same side of guide rails 9a, 9b. Mizuno does not overcome this deficiency of Kobayashi.

Applicant's independent claim 18 is distinguishable over Kobayshi and Mizuno for reasons similar to those discussed above with respect to independent claim 9.

The dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite.

Ammon and Tomaseti do not overcome the deficiencies of the references discussed above.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By: _____



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